

EXHIBIT A

TQP Development, LLC v. Wells Fargo & Company, Civil Action No. 2:11-cv-61-JRG-RSP
P.R. 4-5(d) Claim Construction Chart

Asserted Claim	Disputed or Agreed Term	Defendant's Proposed Construction	Plaintiff's Proposed Construction	Court's Construction
Claim 1: A method for transmitting data comprising a sequence of blocks in encrypted form over a communication link from a transmitter to a receiver comprising, in combination, the steps of: providing a seed value to both said transmitter and receiver, generating a first sequence of pseudo-random key values based on said seed value at said transmitter, each new key value in said sequence being produced at a time dependent upon a predetermined characteristic of the data being transmitted over said link, encrypting the data sent over said link at said transmitter in accordance with said first sequence, generating a second	Predetermined , as in “Predetermined Characteristic Of The Data” and “Predetermined Number Of Said Blocks” ('730 column 12, lines 35, 43, 48)	Determined before any communication over the communication link, but not an inherent property of the encryption or key-generation algorithms Instances in the written description: ‘730 abstract; column 1, line 53; column 3, lines 19, 22, 30, 39; column 12, line 53	No construction necessary Alternatively, “determined before any communication of a sequence of encrypted blocks”	
	A new one of said key values in said first and second sequences being produced each time a predetermined number of said blocks are transmitted over said link ‘730 column 12, lines 46-49	Using a new key value in each sequence each time the transmitter transmits a predetermined (and pre-supplied) number of blocks over the link to the receiver, and only at those times	A new key value in the first and second sequence is produced each time a predetermined number of blocks are transmitted over the link	
	Seed value (‘730 column 12, lines	The supplied value which initializes the	No construction necessary	

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sequence of pseudo-random key values based on said seed value at said receiver, each new key value in said sequence being produced at a time dependent upon said predetermined characteristic of said data transmitted over said link such that said first and second sequences are identical to one another a new one of said key values in said first and said second sequences being produced each time a predetermined number of said blocks are transmitted over said link , and decrypting the data sent over said link at said receiver in accordance with said second sequence.	29-30) Instances in the written description: '730 abstract; column 1, lines 45, 67; column 2, line 17; column 3, line 32; column 4, lines 5, 16; column 5, lines 12-13, 17; column 9, lines 52, 56, 59; column 11, line 6 Providing a seed value to both said transmitter and receiver (‘730 column 12, lines 29-30) Block: (‘730 column 12, line 27) Instances in the written description: “block”: '730 column 3, line 21; column 8, line 23; column 12, line 53 “block counter”:	generating of the pseudo-random numbers		
		Providing the same seed value to both the transmitter and receiver from different secured links	Providing the same seed value to both the transmitter and receiver	
		A group of bits longer than a byte (in encrypted form) ¹	A group of bits, such as a character, word, or other unit of data	

¹ Defendants would agree to drop the “(in encrypted form)” portion of their construction if TQP agrees that “said blocks” recited in claim 1 are “in encrypted form” consistent with the recitation of “blocks in encrypted form” in the preamble. TQP has not responded to that proposal.

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	'730 figs. 1, 4; column 3, lines 16, 20, 26, 34, 50, 62, 64; column 4, lines 6, 7; column 8, line 26; column 9, lines 13, 15, 34, 36, 38, 39			
	Receiver; Transmitter (‘730 column 12, lines 28, 30, 31, 33, 41) Instances in the written description: ‘730 C1 column 1, line 21; column 4, line 19; column 5, line 68	Ordinary meaning	No construction necessary	
	Each of the asserted claims as a whole (claims 1, 3, 6, 8, 9, and 10)	Does not require any particular machine or any particular transformation of any particular article	No construction necessary	
	Each new key value in said [first] sequence being produced at a time dependent upon a predetermined characteristic of the data being transmitted over said link	Defendants do not seek to have this term construed for these cases; Defendants contend that no construction of this term is necessary in view of the other constructions	A new key value in the first sequence is produced each time a condition based on a predetermined characteristic of the transmitted data is met at the	

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	(‘730 column 12, lines 34-37)	Defendants proffered	transmitter	
	Each new key value in said [second] sequence being produced at a time dependent upon said predetermined characteristic of said data transmitted over said link (‘730 column 12, lines 34-37)	Defendants do not seek to have this term construed for these cases; Defendants contend that no construction of this term is necessary in view of the other constructions Defendants proffered	A new key value in the second sequence is produced each time a condition based on a predetermined characteristic of the transmitted data is met at the receiver	
	The preamble of claim 1: A method for transmitting data comprising a sequence of blocks in encrypted form over a communication link from a transmitter to a receiver comprising, in combination, the steps of (‘730 column 12, lines 25-28)	[Agreed]	[Agreed]	The preamble is limiting and requires: “a method for transmitting data comprising a sequence of blocks in encrypted form over a communication link from a transmitter to a receiver.”
	Data (‘730 column 12, lines 25, 35, 37, 44, 50; ‘730 C1 column 2, lines 22, 24, 16)	[Agreed]	[Agreed]	No construction necessary

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	Communication link from a transmitter to a receiver ('730 column 12, lines 26-27)	[Agreed]	[Agreed]	No construction necessary
	Based on said seed value ('730 column 12, lines 32, 41)	[Agreed]	[Agreed]	"based exclusively on said seed value"
	Encrypting the data ('730 column 12, line 37, '730 C1 column 2, line 26)	[Agreed]	[Agreed]	"converting clear text data into cipher text"
	Decrypting the data ('730 column 12, line 50)	[Agreed]	[Agreed]	"converting cipher text into clear text"
	Pseudo-random key values ('730 column 12, lines 31-32, 40-41)	[Agreed]	[Agreed]	"a sequence of numbers that are generated by supplying a seed value to an algorithm, the sequence of numbers have no apparent regularities unless the seed value and algorithm are known or determined"
Claim 3:	Associating with each of	[Agreed]	[Agreed]	

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The method of claim 1, further comprising: at said transmitter, associating with each of a plurality of remote locations with which secured communication is required different seed values, and wherein said provided seed value is one of said different seed values	a plurality of remote locations with which secured communication is required different seed values (‘730 C1 column 1, lines 21-23)			“when secured communication is required with two or more remote locations, associating, at the transmitter, a different seed value with each of the remote locations”
Claim 6: The method of claim 1, wherein said provided seed value is one of a number of different seed values for a plurality of remote locations with which secure communication is required	Said provided seed value is one of a number of different seed values for a plurality of remote locations with which secured communication is required (‘730 C1 column 2, lines 5-8)	[Agreed]	[Agreed]	“when secured communication is required with two or more remote locations, providing more than one seed value for a number of the remote locations for which secured communication is required”
Claim 8: The method of claim 1, further comprising: associating different ones of seed values with each of a plurality of remote locations with which secured communication is required	Associating different ones of seed values with each of a plurality of remote locations with which secured communication is required (‘730 C1 column 2, lines	[Agreed]	[Agreed]	“when secured communication is required with two or more remote locations, associating a different seed value with each of the remote locations”

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required	15-17)			
Claim 10: The method of claim 9, further comprising: compressing the data prior to encrypting the data.	Compressing the data prior to encrypting the data	Applying a compression function to all of the data to reduce the size of the data to be encrypted and transmitted	No construction necessary	